

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLUXO-CANE OVERSEAS LTD. and
MANOEL FERNANDO GARCIA,

Plaintiffs,

v.

NEWEDGE USA, LLC (f/k/a FIMAT USA
LLC),

Defendant.

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Case No. 08 Civ. _____

DECLARATION OF
FRANCISCO J. NAVARRO

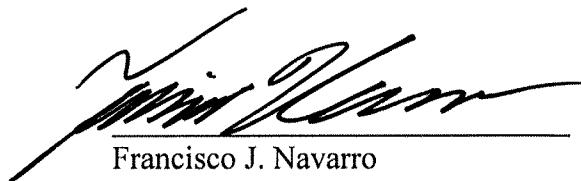
FRANCISCO J. NAVARRO, pursuant to 28 U.S.C. § 1746, hereby declares
under the penalties of perjury that the following statements are true and correct:

1. I am associated with Kobre & Kim LLP and am admitted to practice in the Southern District of New York. In this action, I represent plaintiffs Fluxo-Cane Overseas, Ltd. ("Fluxo-Cane") and Manoel Fernando Garcia ("Garcia") (collectively "Plaintiffs") and submit this declaration in support of Plaintiffs' instant request for emergency relief against Newedge USA, LLC (f/k/a FIMAT USA LLC) ("Newedge" or "Defendant").

2. On March 10, 2008, Plaintiffs notified Defendant Newedge by e-mail of its intention to move by order to show cause for a temporary restraining order and preliminary injunction enjoining Defendant Newedge from arbitrating its claims against Plaintiffs.

3. Plaintiffs forwarded a copy of their proposed order to show cause and this memorandum of law to Defendant at that time.

4. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed the tenth day of March, 2008, at New York, New York.



Francisco J. Navarro